AO 466 (1/86) Waiver of Rule 40 Hearings

FILED
MAY 19 2005
NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

United States District Court

for the DISTRICT OF Columbia

UNITED STATES OF AMERICA

V.

Oscar Holmes

WAIVER OF RULE 40 HEARINGS
(Excluding Probation Cases)

Case Number: 05-296M

I, Oscar Holmes, understand that in the Eastern District of Virginia, charges are pending alleging violation of traffic laws and that I have been arrested in this District and taken before a United States Magistrate, who informed me of the charge and of my right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

( ) identity hearing

( ) preliminary examination

(✓) identity hearing and have been informed I have no right to a preliminary examination

( ) identity hearing but request a preliminary examination be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

Defendant

5-19-05
Date

Defense Counsel